

**BOROUGH OF MOUNT PENN
BERKS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 764

**AN ORDINANCE OF THE BOROUGH OF MOUNT PENN, BERKS COUNTY,
PENNSYLVANIA, REGULATING THE REMOVAL OF DEAD TREES AND STUMPS
BETWEEN THE SIDEWALK AND THE CURB AREA**

BE IT ENACTED AND ORDAINED by the Council of the Borough of Mount Penn, Berks County, Pennsylvania, and it is hereby **ENACTED AND ORDAINED** by authority of the same, as follows:

ARTICLE 1. Removal of Trees. All dead or completely damaged trees between the curb and the sidewalk shall be neatly cut to the grade of sidewalk and removed by and at the expense of the Owner. Further, the Owner shall remove or have removed at their expense, all tree stumps from the sidewalk area fronting, abutting, or on their property, within one (1) year of the cutting and removal of the trunk and branches of such tree or trees, to a depth of four (4) inches to six (6) inches below the grade of the sidewalk.

ARTICLE 2. Penalties. Any person violating the provisions of this ordinance shall, upon conviction before a District Justice of appropriate jurisdiction, be liable to pay costs of prosecution and a fine as follows:

a. For failure of a property owner to remove, partially remove or treat a tree as ordered in accordance with this ordinance, the guilty person shall be fined not less than \$100.00 per day nor more than \$600.00 per day. Each day the property owner remains in violation shall constitute a separate offence. Failure to pay the fines levied in this section shall result in the imposition of a lien upon the real estate of the offender and may be collected as municipal claims are collected.

ARTICLE 3. Any Ordinance or parts of Ordinances inconsistent herewith shall be and the same are hereby repealed.

DULY ENACTED AND ORDAINED by the Council of the Borough of Mount Penn,
Berks County, Pennsylvania, this 14th day of August, 2007.

BOROUGH OF MOUNT PENN
Berks County, Pennsylvania

By: Thomas A. Stawron
President

Attest:

Ann D. Henski
Secretary

APPROVED this 14th day of August, A.D., 2007.

Jim Houton
Mayor