

25 WEST WYOMING ORDINANCE 101

AN ORDINANCE OF THE BOROUGH OF WEST WYOMING REGULATING PLANTING AND MAINTAINING OF TREES ALONG PUBLIC WAYS.

The West Wyoming Borough Council hereby ordains:

§1. Definition. The word "person", as used in this ordinance, shall mean and include any natural person, partnership, association, firm or corporation. The singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

§2. Restrictions on Planting and Growing of Certain Trees. It shall be unlawful for any person to plant, maintain or allow to grow any types of plants or trees within the lines of any street, alley or sidewalk in the Borough of West Wyoming, or within one hundred (100) feet of any public sewer or water line.

§3. Clearance Above Street and Sidewalk. Every owner of property in the Borough of West Wyoming shall be required to keep limbs and branches of all trees growing upon such property or along the street, sidewalk, curb or alley abutting upon such property trimmed so that no part of such limbs or branches or of the foliage growing thereupon, shall have a clearance of less than eight (8) feet above the surface of the sidewalk or of less than fourteen (14) feet above the surface of the roadway of any street or alley.

§4. Removal and Trimming of Trees. It shall be the responsibility of property owners in the Borough of West Wyoming to conform to the requirements of this ordinance as to trees upon property owned by them, or along streets, alleys and sidewalks abutting upon such property, and, upon notice from the West Wyoming Borough Council, to remove any tree or trees growing in violation of Section 2 of this ordinance, and to trim or cut the branches or limbs of trees as required by Section 3 hereof. Any person failing to comply with any such notice, within the time limit stated therein, shall be guilty of a violation of this ordinance and, following the expiration of such time limit, the West Wyoming Borough Council shall have the authority to cause the work required by such notice to be done by the municipality or under contract therewith, and to collect the cost of such work, with an additional amount of ten percent (10%) from such property owner in default.

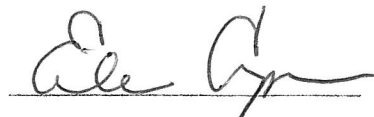
§5. Penalties. Any person, firm or corporation, who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than Three Hundred Dollars (\$300.00), and/or to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this ordinance continues shall constitute a separate offense.

§6. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

57. 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 West Wyoming 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.

58. Effective Date. This ordinance shall become effective on April 8, 1935.

Duly and enacted and ordained by West Wyoming Borough Council on 11th day of Oct..
2010 and signed by the Mayor on the 11th day of Oct., 2010.

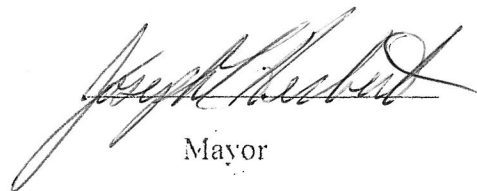


President of Council

Attest:



Borough Secretary



Mayor