

Plumstead, Bucks County, PA

Chapter 25. TREES

Part 1. TREE BOARD

§ 25-101. Definitions.

[Ord. 2004-08, 12/23/2004, § 1]

STREET TREES

Trees, shrubs, bushes and all other woody vegetation on land lying between street lines of all streets, roads, alleys, avenues, lanes, squares or ways within the Township.

PARK TREES

Trees, shrubs, bushes and all other woody vegetation in Township parks and open space areas.

§ 25-102. Creation and Establishment of a Tree Board.

[Ord. 2004-08, 12/23/2004, § 2]

There is hereby created and established a Township Tree Board for the Township of Plumstead, Bucks County, Pennsylvania, which shall consist of three members who are residents of the Township and who shall be appointed by the Board of Supervisors.

§ 25-103. Term of Office.

[Ord. 2004-08, 12/23/2004, § 3]

The term of the three members of the Tree Board shall be appointed for a term of two years with one member being appointed to a one-year term for the initial Tree Board and two members being appointed for a two-year term. In the event that a vacancy shall occur during the term of any member, his/her successor shall be appointed for the unexpired portion of the term.

§ 25-104. Compensation.

[Ord. 2004-08, 12/23/2004, § 4]

Members of the Tree Board shall serve without compensation.

§ 25-105. Duties and Responsibilities.

[Ord. 2004-08, 12/23/2004, § 5]

It shall be the responsibility of the Tree Board to study, investigate, administer and develop and/or update annually, a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks and open space areas, along streets and other public areas. Such

plan will be presented annually to the Board of Supervisors and upon their acceptance and approval shall constitute the official Comprehensive Township Tree Plan for the Township of Plumstead. The Tree Board, upon request by the Board of Supervisors, shall investigate and report to the Board of Supervisors upon any special matter coming within the scope of the Board's duties and responsibilities.

§ 25-106. Operation.

[Ord. 2004-08, 12/23/2004, § 6]

The Board of Supervisors shall appoint the Chairman of the Tree Board on an annual basis and shall make rules and regulations for the efficient operation of the Tree Board. A majority of the members, if present, shall constitute a quorum for the transaction of business.

§ 25-107. Street Tree Species to be Planted.

[Ord. 2004-08, 12/23/2004, § 7]

The following list constitutes the official street tree species for Plumstead Township:

The following plant material is permitted for use as tree plantings when placement is within four feet of curb, sidewalk or asphalt surface:

Large Trees

Acer rubrum Red Maple

Acer x fremani "Armstrong" Armstrong Freeman Maple

Cercidiphyllum japonicum tree form Katsura Tree

Fraxinus americana White Ash

Fraxinus pennsylvanica Green Ash

Ginkgo bilboa

Maidenhair Tree (male only)

Gleditsia triacanthos

Honeylocust (thornless only)

Liquidambar styraciflua Sweet Gum

Tilia codata Littleleaf Linden

Zelkova serrata Japanese Zelkova

Small Trees

Acer campestre Hedge Maple

Acer ginnala (tree form)

Amur Maple

Acer tataricum (tree form)

Tatarian Maple

Amelanchier laevis (tree form) Serviceberry

Carpinus caroliniana (tree form) American Hornbeam

Crataegus Hawthorn (thornless only)

Syringa reticulata (tree form) Japanese Tree Lilac

In addition to the above the following plant material is permitted for use as tree plantings when placement is greater than four feet from a curb sidewalk or asphalt surface:

Large Trees

Acer nigrum Black Maple

Acer saccharum Sugar Maple

Aesculus hippocastanum "Baumannii" Bauman Horse Chestnut

Aesculus x carnea "Briotii" Ruby Red Horse Chestnut

Betula nigra River Birch

Betula papyrifera Paper Birch

Carya cordiformis Bitternut Hickory

Carya glabra Pignut

Carya ovate Shagbark Hickory

Carya tomentosa Mockernut

Catalpa bignonioides Catalpa

Fagus granifolia American Beech

Gymnocladus dioicus Kentucky Coffee Tree

Juglans nigra Black Walnut

Larix laricina American Larch

Liquidambar styraciflua Sweet Gum

Liriodendron tulipifera Tulip Tree

Magnolia acuminata Cucumber Tree

Ostrya virginiana (tree form) American Hophornbeam

Platanus x acerifolia London Plane Tree

Prunus serotina Black Cherry

Quercus alba White Oak

Quercus borealis Red Oak

Quercus coccinea Scarlet Oak

Quercus falcata Spanish Oak

Quercus macrocarpa Burr Oak

Quercus muehlenbergii Yellow Chestnut Oak

Quercus palustris Pin Oak

Quercus phellos Willow Oak

Quercus rubra Northern Red Oak

Quercus stellata Post Oak

Robinia pseudoacacia Black Locust

Tilia americana American Linden

Tilia heterophylla White Basswood

Tilia tomentosa Silver Linden

Ulmus americana American Elm ("Liberty" or other resistant variety)

Small Trees

Acer buergerianum (tree form) Trident Maple

Acer ginnala (tree form) Amur Maple

Acer griseum (tree form) Paperback Maple
Acer tataricum (tree form) Tatarian Maple
Amelanchier laevis (tree form) Serviceberry (all cultivars)
Amerlanchier canadensis Shad-bush
Asimina triloba Pawpaw
Betula nigra River Birch
Betula populifolia Grey Birch
Carpinus betulus European Hornbeam
Carpinua caroliniana American Hornbeam
Cercis canadensis (tree form) Eastern Redbud
Cornus kousa (tree form) Kousa Dogwood
Crataegus (many species) Hawthorn (thornless only)
Crataegus mollis Scarlet Thorn
Ilex Montana Large leaved Holly
Ilex opaca American Holly
Magnolia tripetala Umbrella Tree
Magnolia x loebneri "Merrill" Merrill Magnolia
Malus "Centzam" (tree form) Centurion Crabapple
Malus "Hargozam" (tree form) Harvest Gold Crabapple
Malus "Snowdrift" (tree form) Snowdrift Crabapple
Malus "Spring Snow" (tree form) Springsnow Crabapple
Malus x zumi "Calocarpa" (tree form) Redbud Crabapple
Ostrya virginiana American Hop-Hornbeam
Oxydendrum arboretum Sourwood
Prunus Americana Wild Plum

Prunus pennsylvanica Bird Cherry

Prunus serrulata (tree form) Kwanzan Oriental Cherry

Purus betulifolia Birchleaf Pear

Pyrus calleryana Callery Pear (all cultivars except "Bradford")

Sorbus (many species/hybrids) Mountain Ash

Sorbus Americana American Mountain-Ash

Syringa reticulata "Ivory Silk" Ivory Silk Japanese Tree Lilac

Note: Additional tree species may be utilized if approved by the Township.

§ 25-108. Spacing.

[Ord. 2004-08, 12/23/2004, § 8]

"Large" street trees shall be planted at intervals of not more than 40 feet. "Small street trees shall be planted at intervals of not more than 25 feet. All trees must be selected and coordinated to provide adequate separation from overhead and underground utilities.

§ 25-109. Distance from Curb and Sidewalk.

[Ord. 2004-08, 12/23/2004, § 9]

The distance trees may be planted from curbs or curb lines and sidewalks will be in accordance with the species, size and growth characteristics.

§ 25-110. Distance from Street Corners and Fire Hydrants.

[Ord. 2004-08, 12/23/2004, § 10]

No street trees shall be planted closer than 25 of any street corner, measured from the point of the nearest intersecting curbs or curb lines. No street tree shall be planted closer than 10 feet to any fire hydrant.

§ 25-111. Utilities.

[Ord. 2004-08, 12/23/2004, § 11]

No street trees other than those species listed as small trees in § 25-107 of this Part may be planted under or within 10 lateral feet of any overhead electric utility wire or over or within five lateral feet of any underground waterline, sewer line, transmissions line or other utility.

§ 25-112. Public Tree Care.

[Ord. 2004-08, 12/23/2004, § 12]

1. The Township shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, roads, alleys, avenues, lanes, squares and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

2. The Township may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or is infected with any injurious fungus, insect or other pest. This Section does not prohibit the planting of street trees by adjacent property owners; providing, that the selection and location of said trees is in accordance with §§ 25-107 through 25-111 of this Part.

§ 25-113. Tree Topping.

[Ord. 2004-08, 12/23/2004, § 13]

It shall be unlawful, as a normal practice, for any person, firm or Township Department to top any street tree, park tree or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted by this Part.

§ 25-114. Pruning, Corner Clearance.

[Ord. 2004-08, 12/23/2004, § 14]

Every owner of any tree overhanging any street or right-of-way within the Township shall prune the branches so that such branches shall not obstruct the light from any streetlight or obstruct the view of any street intersection and so that there shall be a clear space of seven feet above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The Township shall have the right to prune any trees or shrub on private property when it interferes with the proper spread of light along the street from a streetlight or interferes with visibility of any traffic control device or sign.

§ 25-115. Dead or Diseased Tree Removal on Private Property.

[Ord. 2004-08, 12/23/2004, § 15]

The Township shall have the right to cause the removal of any dead or diseased trees on private property within the Township when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential to other trees within the Township. The Township Tree Board will notify, in writing, the owners of such trees. Removal shall be done by said owners at their own expense within 60 days after the date of service of notice. In the event of failure of owners to comply

with such provisions, the Township may enter the property and remove the trees, charging the cost of the cutting and removal to the property owners. The charge shall be a lien against the real estate of the property owner and shall be collected in the same manner as other municipal liens.

§ 25-116. Removal of Stumps.

[Ord. 2004-08, 12/23/2004, § 16]

All stumps of street and park trees shall be removed below the surface of the ground so that the top of stump shall not project above the surface of the ground.

§ 25-117. Interference with Township Tree Board.

[Ord. 2004-08, 12/23/2004, § 17]

It shall be unlawful for any person to prevent, delay or interfere with the Township Tree Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds, as authorized in this Part.

§ 25-118. Arborists Licensing.

[Ord. 2004-08, 12/23/2004, § 18]

Any engaging in the business or occupation or pruning, treating or removing street or park trees within the Township shall comply with the Township's contracting licensing ordinance.

§ 25-119. Appeal Procedure.

[Ord. 2004-08, 12/23/2004, § 19]

Any person aggrieved by any action of the Township Tree Board may file an appeal to the Board of Supervisors in accordance with the Local Agency Act.

§ 25-120. Penalty.

[Ord. 2004-08, 12/23/2004, § 20; as amended by Ord. 2004-07, 12/7/2004, § 1]

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 nor less than \$250 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.