

**FRANKLIN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2016-08**

**AN ORDINANCE OF FRANKLIN TOWNSHIP, CHESTER COUNTY,
COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER
10, HEALTH AND SAFETY, TO ADD A NEW PART II GOVERNING
TREES IN TOWNSHIP RIGHTS-OF-WAY**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Franklin Township, the Code of Ordinances of the Township of Franklin, Chester County, Pennsylvania hereby amended as follows:

Section 1. The Code of Ordinances of the Township of Franklin, Chapter 10, Health and Safety, General Standards, is hereby revised to add a new Part II as follows:

Part II

Trees in Township Rights-of-Way

§ 10-201. Trees in Township rights-of-way.

Property owners shall be responsible for removal and/or trimming of trees in Township rights-of-way if the tree and/or limbs pose a risk of harm to the public

§ 10-202. Removal Notice.

It shall be the duty of the Township Manager to serve or cause to be served a notice upon the owner or occupant of any premises on which the trees are permitted to grow in violation of the provisions of this chapter and to demand the abatement of the nuisance or safety hazard within twenty-one (21) days.

§ 10-203. Abatement.

If the person so served does not abate the nuisance or safety hazard within twenty-one (21) days, the Township Manager of Franklin Township may proceed to abate such nuisance or safety hazard, keeping an account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant.

§ 10-204. Lien.

- A. Charges for tree or limb removal shall be a lien upon the premises. Whenever a bill for such charges remains unpaid for 60 days after it has been rendered, the Township Secretary or Township Solicitor may file with the Recorder of Deeds of Chester County a statement of lien claim. This statement shall contain a legal description of the premises, the expenses and costs incurred and the date the tree was trimmed or removed, and a notice that the Township of Franklin claims a lien for this amount.
- B. Notice of such lien claim shall be mailed to the owner of the premises if his address is known; provided, however, that failure of the Township Secretary or Township Solicitor to record such lien claim or to mail such notice, or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien for such charges as provided in the following section.

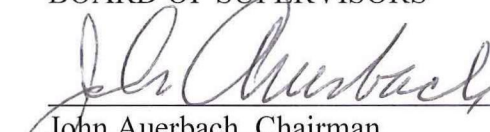
§ 10-205. Prosecution of liens.

The Township shall follow the procedures set forth in the Municipal Claim and Tax Lien Law, 53 P.S. Section 7101 et seq., for properties subject to a lien for unpaid tree cutting charges.

Section 2. Effective Date. This Ordinance shall become effective within five (5) days of enactment.

ENACTED and ORDAINED this 21st day of September, 2016.

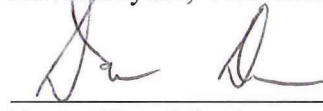
FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS



John Auerbach, Chairman



David Snyder, Vice Chairman



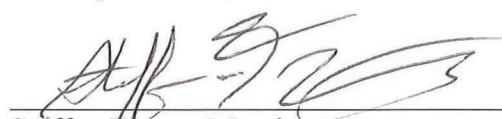
Donna Dea, Member

ATTEST:



Secretary

Penelope Schenk, Member



Steffen Torres, Member