

ORDINANCE NO. 2022 - 09
RADNOR TOWNSHIP

AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 263, "TREES", SECTION 263-6, "EMERGENCY TREE REMOVAL" REVISING SECTION 263-6(C) TO APPLY TO HAZARD TREES ON PRIVATE PROPERTY OF PUBLIC CONCERN AND REVISING THE PROCESS FOR THE REMOVAL OF HAZARD TREES

Pursuant to recommendations of the Radnor Township Shade Tree Commission, the Radnor Township Board of Commissioners does hereby ENACT and ORDAIN, as follows:

SECTION I.

Chapter 263, Trees, Section 263-6(c) is hereby revised and amended to read as follows:

§ 263-6(c)

If, upon determination by the Director of Public Works, or his/her designee, and after consultation with the Township Arborist that a tree or trees on private property adjacent to areas of public use, including but not limited to streets, sidewalks, bus stops, and public park, are considered a hazard tree, or such trees are in imminent danger of falling or creating property damage or personal injury, the applicable property owner shall be notified of the hazard tree. The Township Arborist shall draft a report documenting the hazard and recommending removal, including the appropriate time frame for removal. The property owner shall be provided a copy of the report of the Township Arborist, a copy of this subsection, and a timeframe for removal of the hazard tree in whole or in part. Thereafter, if the property owner is unable to remove the hazard tree, the Township will remove the hazard tree upon permission from the property owner and will be reimbursed by the property owner for the full cost of the removal. ~~remove, in part or in whole, the tree or trees to correct the hazardous condition within five days of notification by the Township. Payment plans shall be made available to property owners and the Township reserves the right to file a lien against the benefitted property should payment not be made in full. Should permission to remove the hazard tree be denied, the Township reserves the right to file a complaint in equity, including attorneys' fees and costs of suit, requesting permission to enter the property and remove the hazard tree. If the hazard tree is not removed within five days of notice, the Township may take such action as necessary to remedy the situation resulting in a lien being filed against the property to cover the Township's costs.~~

SECTION II. Repealer.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION III. Severability.

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

SECTION IV. Effective Date.

This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

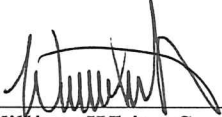
ENACTED AND ORDAINED this 12 day of September, A.D., 2022.

**RADNOR TOWNSHIP
BOARD OF COMMISSIONERS**

By:


Name: Moira Mulroney
Title: President

ATTEST:


William White, Secretary