

CHAPTER 24

TREES

Part 1

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Part 1

Shade Tree Regulations

§1. Authority.

The Shade Tree Commission of the Borough of Bloomfield (hereafter referred to as the Commission) shall have the custody and control over shade trees within the right-of-way lines of public highways, streets, and alleys within the Borough of Bloomfield and shall have authority to plant, remove, trim prune, maintain, and protest such trees or assist in having the same done. (Ord. 134, November 4, 1975, §1)

§2. Definitions.

“Application” shall mean the request of a person made upon forms approved by the Commission for authority to perform specific functions to existing or planned shade trees.

“Permit” shall be a written form issued by the Secretary of the Commission at the direction of the Commission granting authority to perform specific to shade trees.

“Person” shall mean any individual, partnership, firm, association or corporation.

“Shade Tree” whenever the words “shade tree” appear in these regulations it shall be taken to mean any shade tree, shrub, or other woody plant growing within or extending within the right-of-way lines of any public thoroughfare in the Borough. (Ord. 134, November 4, 1975, §1)

§3. Tree Care.

No person shall plant or remove any shade tree or trees on or overhanging the right-of-ways of public highways, streets or alleys in the Borough of Bloomfield without first making an application and receiving an approved permit. When permission is granted by the Commission to remove a shade tree, the Commission may require the property owner to replace said tree with another of species, size, and condition, and in a location approved by the Commission.

All public utilities operating within the Borough must obtain permission to do so from the Shade Tree Commission on application forms approved by the Commission for each time any such public utility or its agent, servants, or contractors desires to do the same; said work to be done under the supervision of the Commission. (Ord. 134, November 4, 1975, §1)

§4. Tree Type and Location.

In order to secure uniformity and best results, the species and location of any shade tree or trees to be hereafter planted in or along the right-of-way of any public streets, highways or alleys in the Borough shall be subject to the approval of the Commission. (Ord. 134, November 4, 1975, §1)

§5. Protection of Trees.

No person shall perform any act to any shade tree which has a deleterious effect to tree life. Builders, contractors, or owners shall, before and during the erection or repair of any building or structure or during construction, erect or cause to be erected, suitable guards to protect the trunk and roots of any shade tree. Construction materials shall not be placed or stored so as to impede the passage of air and water to the roots of a shade tree within the construction zone on the public highways, streets and alleys of the Borough of Bloomfield. (Ord. 134, November 4, 1975, §1)

§6. Diseased or Unsafe Trees.

The Commission may, ten (10) days notice in writing order the owner, or owners of property situated within the Borough of Bloomfield to cut down and remove any diseased or dead shade tree in or upon, or within the lines of any public highway, street or alley, which in the judgment of the Commission threatens to infect and destroy adjacent healthy shade trees or which shall endanger public safety or property within the Borough of Bloomfield.

Failure of the property owner to comply with the orders of the Commission within the specified time shall be cause for the Commission to have the work done for which the property shall be billed together with an additional amount of ten percent (10%) thereof. Upon failure of payment a lien may be placed on said premises to be filed and collected as a municipal claim. (Ord. 134, November 4, 1975, §1)

§7. Appeal.

Orders of the Commission may be appealed to the Borough Council upon written complaint signed by the aggrieved and duly verified. Council shall cause an investigation to be made after which they shall act on the complaint.
(Ord. 134, November 4, 1975, §1)

§8. Enforcement.

The Commission shall act as a body or designate its secretary or appoint an individual to enforce these regulations and to administer its future policies.
(Ord. 134, November 4, 1975, §1)

§9. Penalties and Remedies.

1. The Commission shall have the authority to revoke any permit issued to any person violating any of the provisions of the regulations or orders of the Commission and require any damage to be repaired or replaced by the property owner or cause the same to be done at the expense of the property owner.
2. Any person who shall violate or fail to comply with any of the regulations or orders of the Commission shall be liable on conviction thereof to a fine or penalty not exceeding three hundred dollars (\$300.00) for each and every offense and whenever such person shall have been notified by the Commission or by service or summons in prosecution, or in any way, that he is committing such violation, each day in which he shall continue such violations after any such notification shall constitute a separate offense punishable by like fine and penalty. Such fines and penalties shall be collected as prescribed by law.

(Ord. 134, November 4, 1975, §1)

§10. Commission Meeting.

The Commission shall hold a regular meeting in the Borough. Special meetings will be held as needed or at the request of the Commission Chairman.
(Ord. 134, November 4, 1975, §1)

§11. Commission Business.

The business of the Commission, the issuing of permits, the receiving of requests or complaints will be carried on by its secretary in accordance with these regulations and the policies of the Commission.

(Ord. 134, November 4, 1975, §1)

§12. Commission Duties.

In addition to the aforementioned duties, the Commission shall act as an advisory body to the property owners of the Borough of Bloomfield in all matters pertaining to shade trees.

(Ord. 134, November 4, 1975, §1)

§13. Borough Policy.

The Bloomfield Borough Council at its May 3, 2011 meeting passed a motion that in cases where the Shade Tree Commission directs that a specific type of tree be planted, the Borough will offer to pay 50% of the cost of the tree not to exceed \$50 upon receipt of an original bill.