

**CONEWAGO TOWNSHIP
ORDINANCE NO. 2020-F**

**AN ORDINANCE AMENDING THE CODE OF CONEWAGO TOWNSHIP RELATING
TO STREETS AND SIDEWALKS, ARTICLE II, CHAPTER 130**

WHEREAS, pursuant to the Second Class Township Code, Sections 2325, 2326, 53 P.S. Sections 67325, 67326, the Board of Supervisors has the power to regulate shrubs or trees growing within the right-of-way of any Township road or street and prevent obstructions and nuisances thereon; and

WHEREAS, Conewago Township has adopted Part II, Chapter 130 of the Code of Conewago Township containing regulations relating to streets and sidewalks; and

WHEREAS, the Board of Supervisors hereby wish to amend the Code of Conewago Township by adding the following additional Article IV to Part II, Chapter 130 relating to vegetation management.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Conewago Township, Adams County, Pennsylvania, and **IT IS HEREBY ENACTED AND ORDAINED**, as follows:

SECTION I

Article IV. Vegetation Management

130-22. Trimming of trees on private property.

All trees standing upon private property having branches projecting into the public right of way of any public highway, street, road or alley located within Conewago Township, Adams County, Pennsylvania, or into public places shall be kept trimmed by the owner or occupant of such private property. Trees shall be trimmed so that the lowest branches of such trees shall not come within seven feet of the ground where they overhang any public sidewalk, public place, or fourteen feet over a public right of way. Trimming shall be performed to prevent the limbs from hanging lower at any time, even in wet weather.

130-23. Work performed by Township; costs.

Upon the failure of any property owner to trim vegetation that projects into the public right of way or into public spaces in compliance with notice to do so, Conewago Township may do the same or cause the same to be done and may levy the cost of its work on such owner as a property lien to be collected in the manner provided by law.

130-24. Prohibited acts.

No person or entity shall, either personally or by others acting on his, her or its behalf, deposit or discharge any grass clippings, leaf waste, or other yard debris into:

- A. The public right of way of any public highway, street, road or alley located within Conewago Township, Adams County, Pennsylvania.
- B. A swale, ditch, or road shoulder where material could obstruct the proper flow of runoff discharging from the public right of way.

130-25. Violations and penalties.

Any person who shall violate the provisions of this Article, upon summary conviction brought by an action before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure shall pay a fine not to exceed one thousand dollars (\$1,000) per violation. A separate offense shall arise for each day or portion thereof in which a violation is found to exist.

SECTION II

All ordinances or portions of ordinances inconsistent herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION III

The provisions of this Ordinance are severable. If any sentence, clause, or section 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, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Conewago Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

SECTION IV

This Ordinance shall be codified in the Code of Conewago Township and shall amend such codification as necessary to codify this Ordinance, including the amendment to Part II, Chapter 130, Streets and Sidewalks.

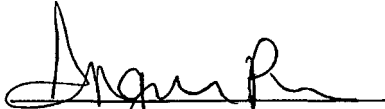
SECTION V

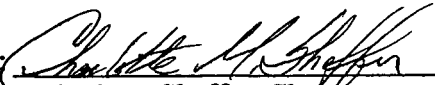
This Ordinance shall be effective five (5) days from the date of its adoption.

ENACTED AND ORDAINED the 16th day of November, 2020.

ATTEST:

CONEWAGO TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA


Secretary

By: 
Charlotte Shaffer, Chairman

