

Chapter 184

SHADE TREE COMMISSION

§ 184-1. Intent.

The intent of this chapter is to establish a Borough commission that plans for the ongoing beautification of public spaces and encourages good planting and landscaping of private spaces in the community. In addition, it is intended to further the following objectives:

- A. Develop a shade tree planting plan that meets the tree planting requirements of the Montgomery County Open Space Preservation Program.
- B. Provide a source of expertise available to residents for private planting and landscaping activities and that assists the Borough in its reviews of proposed land developments.
- C. Encourage public/private partnerships in tree planting and similar Borough beautification activities.
- D. Encourage special planting programs, such as an Avenue of Trees program or designating an official tree of Collegeville.
- E. Encourage volunteerism among interested citizens.

§ 184-2. Establishment.

A group known as the "Shade Tree Commission of Collegeville Borough" is hereby established.

§ 184-3. Membership, terms, vacancies and meetings.

- A. The Commission shall be composed of at least three residents of the Borough, who shall be appointed by the Borough Council and shall serve without compensation. If possible, at least one member shall have a relevant technical background, such as a registered landscape architect, horticulturalist, or arborist.
- B. When first established, Borough Council shall appoint to the Commission one member to serve for a term of three years, one member to serve for a term of four years, and one member to serve for a term of five years.
- C. On the expiration of a term, a successor shall be appointed by Borough Council to serve a term of five years.
- D. Vacancies in the office of Shade Tree Commission shall be filled by Borough Council for the unexpired term.

- E. The Commission shall meet from time to time as members determine to be necessary, such meetings being duly advertised and open to the public.

§ 184-4. Powers.

The Commission shall have the responsibility to plan and make recommendations to Borough Council for the planting, replacement, removal, protection, and needed maintenance of shade trees on public roads and in public spaces in the Borough and make similar recommendations for planting and landscaping of land developments in accordance with the landscaping provisions of the Borough Subdivision and Land Development Ordinance.¹ It shall specifically be responsible for implementing new tree planting in accordance with the tree planting provisions of the Montgomery County Open Space Program.

§ 184-5. Notice of Commission activities.

Whenever the Commission formally recommends that the Borough plant, transplant, remove, or prune shade trees on any street or public area, notice of time and place of meeting at which work is proposed shall be given in at least one newspaper of general circulation in the Borough once a week for two weeks immediately preceding the time of the meeting. The notice shall specify in detail the public streets or public areas upon which the proposed action will occur.

§ 184-6. Report of Commission.

The Commission shall annually report in full to Borough Council its transaction, expenses and related activities for the last fiscal year of the Borough.

§ 184-7. Required permit.

Except for trees planted by the Borough and those provided as part of an approved land development, no person shall plant, remove, replace, or attach a man-made fixture or object to a shade tree on any public street (including in a right-of-way) or public area unless a permit application for the activity is submitted to the Commission. The application for a permit, together with the required filing fee, if any, shall be made in writing to the Commission, and include information on tree locations, species, and proposed action. The Commission shall recommend approval or denial of each permit application to Borough Council.

§ 184-8. Installation, maintenance, replacement, removal.

Installation, maintenance, replacement or removal of all new and existing planting provided as part of land development or provided in public areas

1. Editor's Note: See Ch. 600, Subdivision and Land Development.

shall meet all applicable standards of the Borough Subdivision and Land Development Ordinance.²

§ 184-9. Removal of diseased trees.

- A. The Commission may recommend to Borough Council that upon 60 days' prior written notice, the owner(s) of the property be required to cut and remove trees or parts thereof that, because of disease or a similar adverse condition, threaten to injure or destroy shade trees in a public right-of-way or other public space. Upon failure of any such owner(s) to comply with such notice, the Borough can cause the work to be done by Borough personnel or by a contractor hired by the Borough and levy and collect the cost thereof from the owner(s) of the property.
- B. The Borough shall provide the written 30 day notice by regular mail to the last known address of the property owner(s) and by posting the notice at the main entrance to the principal building on the property.

§ 184-10. Emergency situations.

The Borough reserves the right, without prior notice to the property owner(s), to perform any acts necessary to abate clear, present, and immediate threats to the public health, safety, or welfare caused by the condition of shade trees or trees or parts thereof. The Borough reserves the right to assess the cost of such abatement against the property owner(s).

§ 184-11. Appointment of members.

Borough Council shall appoint members to the Shade Tree Commission following the enactment of this chapter.

2. Editor's Note: See Ch. 600, Subdivision and Land Development.